

*These notes relate to the Regulation of Care (Scotland) Act  
2001 (asp 8) which received Royal Assent on 5 July 2001*

# **REGULATION OF CARE (SCOTLAND) ACT 2001**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### *Commentary on sections*

#### **Part 1: the Commission and Care Services**

#### **National care standards**

#### *Section 5: National care standards*

41. **Section 5** gives Scottish Ministers a duty to prepare and publish national care standards applicable to all care services. These will specify the standards applicable to care services. Subsection (3) and (4) provide that these standards and the Council's codes of practice must be taken into account by the Commission when making any decisions related to registration, inspection and enforcement in respect of care services, whether registered under Part 1 or Part 2 of the Act. This section also ensures that consultation must be undertaken prior to any amending of the care standards. The standards will be focussed on the needs of people using the services, and are being devised by working groups under the auspices of the National Care Standards Committee.